

CITY COUNCIL MINUTES

**August 12, 2013
REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, August 12, 2013 at 6:00 p.m. with Mayor Hanley presiding and City Clerk Stephanie L. Snyder recording the minutes.

CALL TO ORDER at 5:30 p.m. for closed session.

ROLL CALL:

Council Members Present: Keith Nesbitt, J. M. "Mike" Holmes, William W. Kirby, Bridget Powers, Kevin Hanley

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, Assistant City Attorney Michael Cobden, Community Development Director Will Wong, Public Works Director Bernie Schroeder, Transit Analyst Megan Siren, Fire Chief Mark D'Ambrogi, Police Chief John Ruffcorn and Lt. Victor Pecoraro.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

MOTION: Nesbitt/Holmes/Unanimously approved

1. **Conference with Labor Negotiators:**
(G.C. 54957.6)

Agency Designated Representatives: Robert Richardson, Patrick Clark

Employee Group: All Units

REPORT OUT OF CLOSED SESSION

Mayor Hanley reported that there was a settlement agreement reached in the APOA lawsuit. He also reported on the labor contract for the APOA, and directed staff to prepare an MOU for the unit.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

The agenda was approved by consensus of the Council.

CONSENT CALENDAR

1. **Minutes**

By **MOTION**, approve the City Council minutes of July 8, 2013.

2. **Labor Agreements for the Auburn Employee Association and City Hall Employees Association**

By **RESOLUTION 13-86**, adopt the approved salary and benefit adjustment between the Auburn Employees Association and the City of Auburn for the period July 1, 2013 through June 30, 2014.

By **RESOLUTION 13-87**, adopt the approved salary and benefit adjustment between the City Hall Employees Association and the City of Auburn for the period July 1, 2013 through June 30, 2014.

3. **Street Resurfacing Project – Oakridge Way/ Shockley Area**

By **RESOLUTION 13-88**, authorize the recording of a Notice of Completion to VSS International, Inc. and Central Valley Engineering & Asphalt, Inc. for the Street Surfacing Project on Oakridge Way, Auburn Glen Subdivisions & Shockley Area.

4. **Corporation Yard Equipment Purchase – Shop Hoist**

By **RESOLUTION 13-89**, authorize the Director of Public Works to purchase a Shop Hoist from Eagle Automotive Equipment in an amount not to exceed \$18,000.

5. **Appointment to Redevelopment Agency Successor Agency's Oversight Committee**

By **RESOLUTION 13-90**, appoint the City's Administrative Analyst to the Successor Agency Oversight Committee.

6. **Radio Receiver Acquisitions**

By **RESOLUTION 13-91**, authorize the purchase of three Kenwood TK-7360 radio receivers, three PTG 10 Tone Generators and the supporting hardware to complete the upgrade and narrow banding of the police radio system.

7. **Surplus Radio Equipment**

By **RESOLUTION 13-92**, authorize the City Manager or his designee to surplus radio equipment for the Auburn Police Department.

***** End of Consent Calendar *****

By **MOTION**, approve the consent calendar, noting Council Member Kirby's abstention on Item #3.

MOTION: Nesbitt/Powers/Approved 5:0 (Kirby abstained item #3)

8. **Public Comment**

Mayor Hanley announced that the City of Auburn outpaced all other cities in May's "Bike Month" challenge, and gave congratulations.

PUBLIC HEARING

9. **Ordinance Amendment – Emergency Shelters**

Community Development Director Will Wong made the staff presentation. He said this is a continued discussion regarding the emergency shelter zoning. He provided a brief summary of the background of past discussions.

Council Member Nesbitt spoke about the hybrid zone maps that he provided.

Council Member questions followed regarding: (1) entitlements, (2) ability for other property owners to add emergency shelter overlay to their property, (3) timelines/deadlines and (4) designating parcels within a zone.

Council Member Powers asked for a brief overview of the proposed ordinance. She said she also provided maps to the Council for consideration.

Council Member Nesbitt said it's important to designate an area close to services and transportation for the homeless.

Council Member Nesbitt and Powers explained their proposed maps further. They both said their maps are based on feedback they received from constituents.

Council Member questions followed regarding designating certain properties and the location of the Salvation Army in Auburn.

Public comment followed from residents expressing concern of homeless shelter zoning, supporting alternative solutions, support of homeless shelter zoning, creating a well-run facility, local homeless population, safety, benefits of homeless shelters and services, proximity to parks, heritage of Auburn, multi-jurisdictional approach, community, property values, impact on business owners, and addressing homeless problems.

Rosanne McHenry, Bhakti Banning, Ann Fenn, Joanna Bergez, Michael Haviland, Bob Litchfield, Dan Appel, Richard Vorous, Suzi de Fosset, Executive Director of the Gathering Inn; Kathy Jordan, Diana Boyer, Antoinette Fabela, Alma Paz, Vernon McHenry, Peggy Meadows, Donna Howell, Penny Jersey, Herb Whitaker, Managing Attorney for Legal Services of Northern CA; Amy Albert, and Barbara Smith, pastor of Pioneer United Methodist Church.

Council recessed at 7:50 p.m., and returned at 8:00 p.m.

Council Member Nesbitt said there is no ideal place in Auburn to build a homeless shelter. He said the best that can be done, is to locate an adequate site. He said the location needs to be close to transportation and other services. He said he supports creating a zone within a zone, so appropriate parcels within the zone can be chosen.

Council Member Holmes said this issue should have been brought to City Council much earlier (bill passed in 2007). He said he doesn't agree with the comments that a majority of homeless are either alcohol or drug addicted. He said some need help getting back on their feet.

Council Member Kirby said this issue has not been rushed and has been discussed tirelessly. He said the shelter is intended to accommodate people who are temporarily homeless and need help to get back on their feet. He said a community with a homeless shelter can save money by getting people into transitional housing. He said he supports the parcel idea. He said there are two populations of homeless, and the people who would use this shelter are not people to fear.

Council Member Powers said she supports the idea of choosing parcels within a zone. She stressed that the Planning Commission has held just as many hearing on this issue to try to come up with a solution. She spoke about Placer County being a very generous giving community. She said communication and education to both the public and the homeless population is crucial.

Mayor Hanley said due to these types of state mandates, the City Council had looked at becoming a charter city to have more power at a local government level. He spoke about the multi-jurisdictional approach. He

spoke about possible lawsuits and a waste of taxpayer's money if this mandate is not complied with. He said he agrees that there are different segments of the homeless population. He said the city needs to help the people who want help while still maximizing public safety. He said a shelter needs to be close to homeless services. He said the only location that would fit these requirements is the Palm and Elm Ave. Area.

Council Member Holmes suggested the 12 acre parcel that was the property of the Auburn Urban Development Authority off Blocker Drive. He said it is near transportation, grocery stores and other services.

Council Member Nesbitt said he still likes the option of the property off Epperle. He said he creating a zone within the zone addresses many of the problems.

Council Member Powers spoke about the Blocker Drive property.

Asst. City Attorney Michael Cobden explained the number of parcels that need to be zoned to meet HDC requirements.

Will Wong spoke about the adequate number of parcels according to an interpretation of the statute.

Council Member comments followed regarding possible locations.

Council Member Nesbitt said he supports the 4 parcels that are noncontiguous to Hwy 49 and adding the Epperle property.

Council Member Holmes spoke about the Epperle property and the School District Administration.



By **MOTION**, direct staff to finalize an ordinance amendment for Emergency Shelters and Transitional and Supportive Housing, and prepare all necessary accompanying entitlements for the zone(s) and/or locations identified by City Council (see blue and red zone on map).

MOTION: Hanley/Powers/Approved 3:2 (Nesbitt & Holmes voted no)

COUNCIL BUSINESS

10. Road Overlay Report Fiscal Year 2013/14 – Fiscal Year 2022/23

Public Works Director Bernie Schroeder presented this item. She reviewed the overlay report purpose, the road report, pavement failure and pavement condition indexes, prioritizing streets, city street highlights, and suggested recommendations for consideration. She spoke about extending the life of the roads by more aggressive pavement maintenance.

Council Member questions followed regarding: (1) budgeted purchases, (2) roadway measurement terms, (3) Pine Street resurfacing, (4) sections of Placer Street (5) Virginia Street overlay (6) East Placer Street overlay candidate/ sewer work, (7) handicapped access, (8) video detection on a signal, (9) \$500,000 targeted budget for payment overlays, (10) Almond Street, (11) sidewalk improvements, and (12) report availability on the website.

Public comment:

Alex Fisch, resident of Auburn, spoke about the importance of the quality of infrastructure. He spoke about prioritizing work with limited funds. He spoke about the condition of Shields Avenue. He spoke about reprioritizing work.

Bob Jordan, resident of Auburn at corner of Huntley and Grace, asked if his street is scheduled for repair.

Council Member Powers spoke about Greenfield Road. She asked about the conservative approach to the overlay plan.

Council Member Nesbitt spoke about the problem with the seams in the road.

Council Member Holmes said he is happy to see a realistic plan. He spoke about the sidewalk behind the Union Bank.

Mayor Hanley said road repair is a high priority. He said in the next year's budget, the road overlay needs to be augmented. He also spoke about the priority of the Downtown area. He said the City needs to communicate to residents what their responsibility is, and what the City's responsibility is.

By **RESOLUTION 13-93**, adopt the FY 2013/14 – FY 2022/23 Road Overlay Report.

MOTION: Holmes/Kirby/Approved 5:0

REPORTS

11. City Council Committee Reports

Council Member Holmes reported on National Night Out at Recreation Park stating there was low attendance. He reported on the Heritage Trail event last weekend. He also reported Keith Lukens passed away recently and requested that the meeting adjourn in his memory.

Mayor Hanley spoke about Keith Lukens contributions to the community. He reported on the Heritage Trail event last weekend also.

ADJOURNMENT

Mayor Hanley adjourned the meeting, without objection, in memory of Keith Lukens at 9:37 p.m.

Kevin Hanley, Mayor

Stephanie L. Snyder, City Clerk

CITY COUNCIL MINUTES
August 26, 2013
REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, August 26, 2013 at 6:00 p.m. with Mayor Hanley presiding and City Clerk Amy M. Lind recording the minutes.

CALL TO ORDER

ROLL CALL:

Council Members Present: Keith Nesbitt, J. M. "Mike" Holmes, William W. Kirby, Bridget Powers, Kevin Hanley

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Associate Planner Lance Lowe, Fire Chief Mark D'Ambrogi, Police Chief John Ruffcorn and Police Lieutenant Victor Pecoraro .

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS

Mayor Hanley welcomed the Boy Scout Troop from Newcastle.

AGENDA APPROVAL

City Manager Bob Richardson removed item 7 due to the Auburn Police Officers Association's legal representation requesting additional time to review the Memorandum of Understanding.

Council Member Keith Nesbitt moved item 13 to follow item 10; being the two items are both related to street naming.

The remainder of the agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

1. **Minutes**

By **MOTION**, approve the City Council minutes of July 22, 2013 and July 29, 2013.

2. **Appointment of Arts Commissioners**

By **RESOLUTION 13-94**, appoint Frank Ordaz and Kaz Huette to the Auburn Arts Commission.

3. **Approval of Warrants Paid – July 2013**

By **RESOLUTION 13-95**, ratify and approve payment of warrants 82877 through 83060 totaling \$1,600,850.32.

4. **New Job Classification and Reallocation of the Accounting Technician**

By **RESOLUTION 13-96**, approve the new job classification of Technical Analyst and the reallocation of the Accounting Technician position to a Technical Analyst.

5. **Department Director Pay for Performance Agreements**

By **RESOLUTION 13-97**, approve the Pay for Performance Agreements for the Department Directors.

6. **Community Development Director Pay for Performance Agreement**

By **RESOLUTION 13-98**, approve the pay for performance agreement for the Community Development Director.

7. **Auburn Police Officers Association Memoranda of Understanding**

Removed from the agenda.

8. **Animal Control and Care Services**

By **RESOLUTION 13-99**, approve the agreement with Placer County Health and Human Services for contract services from July 1, 2013 through June 30, 2015.

***** End of Consent Calendar *****

By **MOTION**, approve the consent calendar, excluding item 7.

MOTION: Nesbitt/ Powers/ Approved 5:0

9. **Public Comment**

Cheri Fry, legislative director for Assemblyman Brian Dahle, introduced herself and welcomed the Council to contact their office for any needs.

Council Member Holmes suggested the Ad Hoc Quasquicentennial Committee be sunset as the events are coming to an end.

PUBLIC HEARING

10. **Street Naming Ordinance**

Associate Planner Lance Lowe presented this item. He said this ordinance would repeal section 158.236 and add new sections in the Municipal Code related to street naming. He said the Baltimore Ravine Specific Plan Developer has been contacted and has no comment at this time. He said the new ordinance would apply to both public and private streets, and all streets shown on parcel maps and subdivision maps for future streets. He explained the process of applying for alternative street names. He said the Planning Commission had three items for Council consideration: (1) ordinance should apply only to public streets, (2) exempt existing approved tentative maps, and (3) notify applicants of existing tentative maps.

Council Member Powers asked about notification and existing tentative maps. She also asked about the proposed fee for alternative street names and the process for developers in the future.

Council Member Kirby asked about the current policy in place for street naming. He asked if the street names could be "suggested" instead of "mandated".

Community Development Director Will Wong said the Council direction was to create an ordinance requiring applicants to pick from city approved street names.

Council Member Holmes asked for a brief summary of the major differences between the existing ordinance and the proposed ordinance.

Lance Lowe said the existing ordinance doesn't have provisions for street naming. He said the proposed ordinance has new provisions that set up a new process for street naming.

Council Member Holmes asked about existing unnamed streets. He asked how the fee was determined.

Lance Lowe explained why the provision regarding unnamed street names is included in the new ordinance. He said the fee (an at-cost deposit) was based on the time incurred to provide the additional work on alternative street name applications.

Council Member Nesbitt asked about the notification sent to people with tentative or vesting maps. He asked where in the process the street naming approval would come before the Council.

Mayor Hanley asked about the letter of notification sent to the approved map owners and existing maps exclusions.

City Attorney Michael Colantuono said if the Planning Commission recommendation is approved, it would exempt Baltimore Ravine which would be governed by the existing ordinance. He said if the staff recommendation is approved it would not exempt Baltimore Ravine from the new ordinance.

No public comment.

Council Member comments followed regarding: (1) exemptions on tentative maps, (2) developers intended themes, and (3) neighboring city ordinances.

Council Member Kirby said he supports the final say by Planning Commission and Council on street names, "suggested" list of street names and that the ordinance would apply to every development currently in process.

Mayor Hanley said he supports the ordinance with two changes: (1) no private streets included and (2) no fee for the alternative street name application. He said he favors an approved street name list from the beginning of the development process.

Council Member Nesbitt spoke about the themes and street names the Streetscape History and Art Advisory Committee recommended.

Council Member Holmes moved that this item be sent back to the Planning Commission to make it simpler, exempt all maps already approved, City Council has final approval on street names and no fee for alternative street names. Council Member Kirby seconded.

Motion failed: 1:4 (Nesbitt, Kirby, Powers, Hanley voted no)

Council Member Holmes said this process has gotten too complicated and more bureaucratic than it needs to be.

Council Member Nesbitt said he does not support this item going back to the Planning Commission, saying he thinks it can be revised at tonight's meeting.

Mayor Hanley requested another notice be sent regarding the 5 public streets that could be affected by this ordinance.

Mayor Hanley moved to introduce and hold a first reading, by title only, of an ordinance repealing Section 158.236 and adding new sections of the Auburn Municipal Code for Street Naming, which includes:

1. Adoption of a Statutory Exemption prepared for the Street Naming Ordinance as the appropriate level of environmental review in accordance with Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) and Guidelines;

2. Adoption of Findings of Fact for approval of the Street Naming Ordinance, as presented in the staff report; and

3. Approval of the Street Naming Ordinance **as revised below:**
To not include private roads, to not include a fee for alternate street names, that previously approved maps will not be exempt and to have a "suggested" street name list (with intent language that the City of Auburn wants to honor the history of Auburn in the beginning of the development process).

Council Member Powers seconded but later withdrew her second.

Council Member Kirby seconded the motion.

MOTION: Hanley/ Kirby/ Approved 4:1 (Holmes voted no)

COUNCIL BUSINESS

10a. **Recommendation from Streetscape History and Art Advisory Committee**

Council Member Nesbitt presented this item. He said the focus was Baltimore Ravine and other future developments. He said themes were developed first: Railroad, Family Names, Nisenan and Gold Mining. He also read the names proposed in each theme.

Council Member Holmes corrected the spelling of Rosenberry in "Family Names" and requested the Holmes Family be removed because there is a "Holmes" Road in the County, he suggested replacing it with "Seavey". He explained the historical significance of Mr. Seavey.

Council Member Kirby asked if the name Yue was considered in "Family Names".

No public comment.

Council Member Powers suggested adding a theme based on the river and confluence that represents the natural resources in Auburn. She said the names need to be expanded in each theme to offer a wide variety.

Council Member Kirby said he would like the Yue and Overmiller Families considered in the Family Names theme.

Mayor Hanley spoke about expanding the Family Names theme.

By **MOTION**,

- 1) Approve all themes for street naming.
- 2) Add River/ Natural Resource theme
- 3) Approve names within theme(s) as corrected and encourage SHAAC to expand in each category (adding Yue, Seavey, and Overmiller).

MOTION: Powers/ Hanley/ approved 5:0

*****City Council recessed at 7:45 p.m., returning at 7:50 p.m.*****

11. **Auburn Homeless Community and Panhandling**

Police Chief John Ruffcorn presented this item regarding the City enhancing its relationships with local homeless service providers and adjoining government entities working towards solving homeless issues. He provided statistics on the police department's interactions with homeless in Auburn. He said for every dollar handed out to a panhandler it costs the community seven dollars in return in law enforcement, housing, jails and abandoned camps. He showed an educational video created by City Manager Bob Richardson.

Council Member Powers asked about educating people visiting from out of town on panhandling.

Council Member Holmes asked about homeless court and the aggressive panhandling ordinance.

Mayor Hanley asked about panhandling enforcement, illegal homeless camps and resources for the mentally ill.

Council Member Holmes asked about planned education materials.

Mayor Hanley asked about signage to educate the public.

Suzi de Fosset, resident of Auburn, Executive Director of the Gathering Inn, and member of Placer Consortium of Homelessness, spoke about homeless court and the community service option to work off a citation. She said homeless is a community problem and it is a community solution. She spoke of the importance of educating the public.

Kendall Porco, Director of Adventists Community Services, said she supports this educational campaign.

Sally Dawley, resident of Auburn, spoke of her experience with homeless/panhandlers in the area.

Council Member comments followed regarding: (1) support of this campaign, (2) additional funds to support campaign indefinitely, (3) distinction between panhandlers and homeless, (4) enforcement, (5) liquor stores, (6) crucial impact statements (7) problem areas, (8) educational materials, (9) working with businesses (10) illegal camping, (11) law enforcement training, and (12) working together with County.

By **RESOLUTION 13-100** authorize the expenditure of less than \$2,500 to create educational material and recommend that the City enhance its relationships with local homeless service providers and adjoining government entities to work towards solving homeless issues.

MOTION: Holmes/ Nesbitt/ Approved 5:0

12. **Auburn Recreation District (ARD) Report to Council**

ARD District Administrator Kahl Muscott and ARD Administrative Services Manager Joe Fecko presented ARD's Annual Report regarding Park Impact Mitigation Fees (annual report in staff report).

Council Member Holmes asked about the use of County mitigation fees. He asked about the bridge over the pond at Ashford Park.

No public comment.

Council Member Nesbitt said he appreciates the direction of taking care of existing facilities.

Council Member comments followed regarding the clear and thorough report.

13. **Recommendation from Streetscape History and Art Advisory Committee**

Moved to item 10a.

14. **League of California Cities Annual Conference Resolutions**

Council Member Kirby presented this item. He said he and Council Member Holmes will be attending the League of California Cities conference. He said he has strong concerns about the resolution regarding water bonds. He said it doesn't give clear direction about protecting Northern California's water.

Council Member Holmes asked Chief Ruffcorn his thoughts on the resolution regarding AB 109.

Chief Ruffcorn said he and the California Police Chiefs Association are in favor of the resolution.

No public comment.

Council Member Holmes said he supports the AB109 related resolution. He said he spoke with PCWA on the water bond resolution, who said there is no water bond at the moment and this is an effort on the part of Southern California to get into play when a water bond is developed, so it will "have something in there for everybody".

Council Member Nesbitt and Powers said they support the AB109 resolution and oppose the water bond resolution at this time.

Council Member Kirby said he is under the impression the water bond resolution will result in additional restrictions for Northern California. He said there is no way to protect salt water intrusion in the delta.

Mayor Hanley said he supports the AB109 resolution and opposes the water bond resolution and explained why.

By **MOTION**, to oppose the water bond issue resolution and support the AB109 related resolution before the League of California Cities Annual Conference.

MOTION: Holmes/ Kirby/ Approved 5:0

REPORTS

15. **City Council Committee Reports**

Council Member Holmes reported on the Arts Commission receiving a thank you letter for the contribution to the Tear Down the Wall project by Auburn Placer Performing Arts Center.

Council Member Nesbitt reported that SHAAC is working on the third interpretative sign. He reported on the upcoming Placer County Transportation Planning Agency acting as the Placer County Airport Land

Use Commission meeting where they will be looking at the airport compatibility plan.

Council Member Kirby reported on the Cal LAFCO Conference at Squaw Creek.

Council Member Powers reported on the Auburn Airport Business Park Association meeting. She also reported on the upcoming Placer County Economic Development Board meeting in Tahoe City. She reported on the Economic Development Commission and the upcoming events.

ADJOURNMENT

Mayor Hanley adjourned the meeting, without objection, at 8:45 p.m.

Kevin Hanley, Mayor

Amy M. Lind, Deputy City Clerk